

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION,
STATE OF CALIFORNIA, STATE OF
COLORADO, STATE OF ILLINOIS,
STATE OF INDIANA, STATE OF IOWA,
STATE OF MINNESOTA, STATE OF
NEBRASKA, STATE OF OREGON,
STATE OF TENNESSEE, STATE OF
TEXAS, STATE OF WASHINGTON, and
STATE OF WISCONSIN,

Plaintiffs,

v.

SYNGENTA CROP PROTECTION AG,
SYNGENTA CORPORATION,
SYNGENTA CROP PROTECTION, LLC,
and CORTEVA, INC.,

Defendants.

Case No. 1:22-cv-00828-TDS-JEP

**DECLARATION OF MICHAEL
TURNER IN SUPPORT OF
PLAINTIFFS' MOTION TO
COMPEL DISCOVERY OF
ATTICUS, LLC**

I, Michael Turner, do hereby declare and state as follows:

1. I am an active member in good standing of the bar of the Commonwealth of Virginia. I am an attorney in the Bureau of Competition of the Federal Trade Commission ("FTC"), an agency of the United States Government, and I am representing the FTC in the above-captioned action. I have personal knowledge of the matters set forth herein.

2. I respectfully submit this Declaration In Support of Plaintiffs' Motion To Compel Discovery of Atticus, LLC.

3. Attached as Exhibit A is a true and correct copy of Plaintiffs' Rule 45 Subpoena to Atticus, served on April 29, 2024.

4. Attached as Exhibit B is a true and correct copy of Atticus's responses and objections to Plaintiffs' subpoena, served on May 28, 2024.

5. Attached as Exhibit C is a true and correct copy of Plaintiffs' June 5, 2024, letter to Atticus summarizing the June 4, 2024, meet-and-confer call.

6. During the June 4, 2024, call, which I attended, Atticus counsel stated that Atticus took a "belt and suspenders approach" to writing its objections (Ex. B). Atticus also indicated that it was not then able to propose a search methodology or a production schedule.

7. Attached as Exhibit D is a true and correct copy of Plaintiffs' email exchanges with Atticus from April 29, 2024, to September 12, 2024, regarding "Subpoena to Atticus, LLC."

8. Attached as Exhibit E is a true and correct copy of Plaintiffs' email exchanges with Atticus from September 16, 2024, to September 30, 2024, regarding "Atticus, LLC First Production."

9. Attached as Exhibit F is a true and correct copy of Atticus's September 16, 2024, letter to Plaintiffs regarding "Rule 45 Subpoena to Atticus, LLC."

10. Attached as Exhibit G is a true and correct copy of Plaintiffs' email exchanges with Atticus from November 22, 2024, to January 7, 2025, regarding "Atticus subpoena."

11. Attached as Exhibit H is a true and correct copy of Atticus's 2024 Limited Liability Company Annual Report, filed with the North Carolina Secretary of State on April 10, 2024.

12. To the best of my knowledge, Plaintiffs have not received any other productions from Atticus since September 16, 2024.

Executed on January 7, 2025.

/s/ Michael J. Turner
Attorney
MICHAEL J. TURNER
Federal Trade Commission
400 7th St. SW
Washington, DC 20024
Telephone: (202) 326-3649
Email: mturner@ftc.gov